IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

-

WRIT PETITION NO: 14931 of 2004

Between:

K. Bhimarjuna Rao, S/o Apparao,
R/o Rampachodavaram, East Godavari District.

.... PETITIONER

AND

The Project Officer, I.T.D.A, Rampachodavaram, East Godavari District.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the order of the respondent dt. 7-8-2004, in R.C.No. T17/502/2004 placing the petitioner under suspension as illegal, arbitrary and unwarranted and consequently set aside the impugned order of suspension and to pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for the Respondent: GP FOR SOCIAL WELFARE

The Court made the following:

O R D E R : -

This writ petition is filed against the order, dated 7.8.2004, passed by the respondent, wherein the petitioner was suspended, pending an enquiry into some misconducts alleged against him.

2. Suspension pending enquiry is not a punishment. Further, it is not a case, where any malafides are attributed, or jurisdiction of the respondent, in keeping the petitioner under suspension, is questioned. Therefore, no inference can be made by this Court, under Article 226 of the Constitution of India.

3. However, it seems that the charges are not something personal, but as to the general administration of the hostel, and even otherwise, the alleged incident occurred outside the hostel. Therefore, it is not desirable to keep the petitioner under suspension, for a long time.

4. The writ petition is dismissed, with a direction to the respondent to complete the enquiry, as expeditiously as possible, preferably, within a period of three months from the date of receipt of this order. No order as to costs.

Sd/-

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1) The Project Director, I.T.D.A, Rampachodavaram, East

Godavari District.
2) The Govt. Pleader for Social Welfare, High Court of A.P.,

Hyderabad (OUT)

3) 2CD copies

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